

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Criminal Minute Order

The Honorable Claudia Wilken, Presiding
Clerk: Sheilah Cahill
Court Reporter: Diane Skillman
Date: 4/23/08

FILED
APR 23 2008
RICHARD W. WILKINSON
CLERK, U.S. DIST.
NORTHERN DISTRICT
OAKLAND, CALIFORNIA

Plaintiff: United States

v.

No. CR-07-00488 CW

Defendant: Bobby Alexander (present - in custody)
Andre Matthews (present - in custody)
Cory Kautzman (present - in custody)
Alicia Johnson (present)
Tyhesia Bacon (present)

Appearances for Plaintiff:
Keslie Stewart

Appearances for Defendant:
Garrick Lew for dft. Alexander
John Hemann for dft. Matthews
Gail Shifman for dft. Kautzman
Angela Hansen for dft. Johnson
Richard Tamor for dft. Bacon

Interpreter:

Probation Officer:

Speedy Trial Date:

Hearing: Setting or Disposition

Notes: Matthews: Defense has written plea agreement but is still discussing it with the defendant and needs more time. Defense counsel will not be filing any motions if there is no plea. **Case continued to 4/30/08 at 2:00 for disposition or trial setting.**

Alexander: Defendant enters under oath Rule 11(c)(1)(C) plea of guilty to the single count felony indictment charging

conspiracy to unlawfully transfer and use a means of identification of another in violation of 18 U.S.C. 1028(f). Plea Agreement filed. Court finds factual basis for plea; Court accepts plea. PSR requested. **Sentencing set for 7/23/08 at 2:00 p.m.**

Kautzman: Defendant enters under oath Rule 11(c)(1)(C) plea of guilty to the single count felony indictment charging conspiracy to unlawfully transfer and use a means of identification of another in violation of 18 U.S.C. 1028(f). Plea Agreement filed. Court finds factual basis for plea; Court accepts plea. PSR requested. **Sentencing set for 7/23/08 at 2:00 p.m.**

Bacon: Defendant enters under oath Rule 11(c)(1)(C) plea of guilty to the single count felony indictment charging conspiracy to unlawfully transfer and use a means of identification of another in violation of 18 U.S.C. 1028(f). Plea Agreement filed. Court finds factual basis for plea; Court accepts plea. PSR requested. **Sentencing set for 7/23/08 at 2:00 p.m.**

Johnson: Defendant enters under oath Rule 11(c)(1)(C) plea of guilty to the single count felony indictment charging conspiracy to unlawfully transfer and use a means of identification of another in violation of 18 U.S.C. 1028(f). Plea Agreement filed. Court finds factual basis for plea; Court accepts plea. Defendant waives PSR and requests immediate sentencing. Waiver of PSR signed in Court. Court follows plea agreement. Court finds Offense Level 6, Criminal History I, leading to a Guideline Range of 0-6 months. The Court places the defendant on three years probation under the usual terms and conditions and the special conditions the defendant serve six months home **without** electronic monitoring as long as the defendant is in compliance with home detention requirements and may leave only for work, school, medical or attorney appoints or as approved by probation. The defendant shall pay the special assessment imposed. The defendant shall make a good faith effort to pay any fine, forfeiture or restitution the she is ordered to pay. The defendant shall provide to the probation office accurate and complete financial information, submit sworn statements and give depositions under oath concerning her assets and her ability to pay, surrender assets she obtained as a result of her crimes, and release funds and property under her control in order to pay any fine, forfeiture or restitution. No fine imposed due to lack of ability to pay a fine. Defendant to pay \$100 special assessment which defendant stated she will pay by Friday, 4/25. Defendant to pay restitution in the amount of \$3,151.16 in monthly installments of \$100 as directed by probation. The defendant shall finish out-patient substance abuse program and submit to drug and alcohol testing as required by probation. The defendant shall look for and maintain employment. Any remaining counts are dismissed. See J&C for details.

Copies to: Chambers; probation